

Americans tend to see their country's history as one of continuous progress and enlightenment, but there are cases when the reverse was true. The period after Reconstruction was one of them. There were numerous reasons for Reconstruction's decline: weaknesses of the southern Republican state governments; northern Republican fatigue over Reconstruction as attention shifted to westward settlement, economic development, and concerns about immigration and labor strife; divided government in Washington; a series of Supreme Court decisions beginning in the 1870s that all but gutted the federal government's power to enforce civil and voting rights; and a sharp rise in white supremacy movements and violence against African Americans in the South.

Following the disputed 1876 presidential election, Republicans struck an informal deal with Southern Democrats to put Rutherford B. Hayes, the Republican candidate, in the White House. In return, federal troops would be withdrawn from the South. The so-called Compromise of 1877 ended Reconstruction and set in motion the eventual loss of rights for African Americans in the South.

By this time, Democrats/ Conservatives had captured all of the Southern state statehouses. This did not mean that black political participation ended overnight, but the signs were already on the wall when delegates from the African American community petitioned the Loudoun County Court in May 1883. No one knew it at the time, but the 1896 Supreme Court decision in Plessy v. Ferguson would legitimize the Jim Crow doctrine of separate but equal. What is more, changes in the 1902 Virginia constitution would strip the right to vote from most blacks (and many poor whites) in Virginia.

**RECONSTRUCTION AND JIM CROW:
PETITION FROM DELEGATES OF THE MASS MEETING TO
JUDGE JAMES B. MCCABE OF THE LOUDOUN COUNTY COURT (1883)**

Robert A. Pollard

We the undersigned colored citizens of said County would respectfully call your Honor's attention to the following facts, namely, that twenty years have elapsed since the bondage of our people in the South was removed: Then we were a people comparatively without property, without the means of acquiring it and business capacity to manage it. Then we were uneducated and but few of us could read or write. Time has changed and improved our condition. Under the guarantees of the National and State Constitutions, and laws made in execution thereof our people have made advances: our children are being educated, and knowledge is supplanting ignorance, and the little homes [we own] show we are acquiring property. Thus we have become identified with the material interests of our State, we have homes to defend, lives and liberty to protect, children educated and to be educated, and in all that pertains to the order, peace and prosperity of society, we have a common interest in the general welfare.¹

Thus began the petition to the Loudoun Court from a group of 17 prominent African American citizens led by Joseph Waters.² Several of the delegates owned their own businesses or served as

leaders in local churches, schools, and the many influential mutual aid societies that proliferated after the Civil War.

The context of the petition is clear: despite major legal advances with the 13th Amendment (ending slavery), 14th Amendment (conferring equal rights to all citizens), and 15th Amendment (adding the right to vote), as well as two major Civil Rights Acts, in practice civil liberties for African Americans in Loudoun County were limited.³ The collapse of Reconstruction in 1877 had ended federal enforcement of the law, and the gradual erosion of voting and other rights had undermined the political power of Loudoun's black community.⁴

The petitioners granted that the African American community had perhaps not been ready for that full exercise of their rights immediately following emancipation, but asserted that times had dramatically changed since then:

We were in a sad condition to have conferred upon us citizenship, but we are now much better prepared to appreciate it and meet its responsibilities. We disclaim any reflection upon the administration of justice; we know that hitherto we were in such a condition as not to expect to participate in the administration of either. But we respectfully submit that that time has passed.

Thus, the Mass Meeting was pressing Judge James B. McCabe to grant the same fundamental rights to African Americans as those that white citizens already exercised, in particular, to serve as jurors in the County court and as observers of elections -- steps that would significantly improve their political and legal status in society:

Political society enjoins on us the same duties and requires of us the same that is exacted from its other members. For twenty years we have been trying to qualify ourselves for the duties of citizenship, we trust it is not presumption in us, to say, our efforts have not been unfailing; we desire in the future a fuller recognition of our rights and privileges which the laws of the land have guaranteed to us, hence we respectfully petition your Honor in the future, to recognize our rights, to serve as Jurors and Judges of Election.

Judge McCabe reportedly granted the right to serve on juries, but not that pertaining to election judges. For all practical purposes, even the right to serve as jurors was not honored for over half a century; the first African American citizen was not entered into a Loudoun jury pool until 1935.⁵

The record then goes cold, but the 1883 Mass Meeting illustrates several significant developments about **race relations in Loudoun County during Reconstruction and its aftermath**:

- As the 1883 petition noted, the black community had sought to take full advantage of **Reconstruction** -- equal protection under the law, voting rights, public education -- and measurably progressed after the war. Families were reunited and began to accumulate land and homes. Literacy sharply improved.
- Responding to their intense desire for education, the **Freedmen's Bureau** helped African Americans build **nine schools**. The Bureau also provided limited social welfare benefits and

sometimes intervened to protect African Americans' rights in the Loudoun courts, most importantly in disputes over labor contracts.⁶

- Whites in Loudoun deeply resented the activities of the Freedmen's Bureau, and continued to discriminate against blacks. Nonetheless, African Americans successfully exercised **political power** and resisted attempts to restore the *status quo ante* through much of Reconstruction. On occasion, federal troops moved into the County to suppress residual Confederate elements, precluding the rise of a local Ku Klux Klan.⁷
- Indeed, blacks in Loudoun County exercised their **right to vote** in large numbers during Reconstruction, and to some extent thereafter. In 1872, Ulysses S. Grant -- the very Union commander who had ordered the notorious "burning" of western Loudoun County just eight years before -- narrowly carried Loudoun in the presidential election.⁸ Though there appears to be no data breaking down the vote by race, Grant's victory would have been inconceivable without black support.
- African Americans had also strengthened the sinews of **community** by building **30 churches** and establishing **10 fraternal societies** by 1900. It is noteworthy that one of the delegates of the 1883 meeting, James R. Hicks, later became the first president of the Loudoun County Emancipation Society (1890), which sustained community pride and planted the seeds of later desegregation efforts in the County.⁹
- The fact remains, however, that by 1883 the political pendulum had decisively swung in the direction of **white supremacy**, systematic racial **segregation and discrimination** against African Americans in Loudoun County. Indeed, conditions throughout the South would sharply deteriorate in the 1890s, as various laws and court decisions at the state and national level would mandate enforced segregation in almost every aspect of society.
- White extremists sometimes used political violence and intimidation to discourage black political participation during the Jim Crow era. Although this was less true in the Upper South than in the Deep South, **three African American men were lynched in Loudoun** in 1880, 1889, and 1902.¹⁰
- Nor did many African Americans in Loudoun necessarily prosper. Indeed, few realized the promise of "40 acres and a mule." Only a small minority of black farmers owned **land**, for instance, with "colored" people possessing just 1% of the County's total acreage in 1900. Consequently, most worked as tenant farmers or as laborers on white-owned farms.¹¹
- A final crushing blow came with the **1902 Virginia constitution**, which formalized numerous restrictions on voting rights, such as poll taxes and literacy tests, effectively shutting out most blacks (and many poor whites) from the political system.
- Faced with intense discrimination and intimidation, many African Americans, especially in rural areas, chose to congregate in **predominantly black villages** scattered across the County.

- Many others chose to leave. As **mechanized agriculture** drove people, both black and white, off the land, the total population of Loudoun remained stable (around 20,000 for over 150 years) while the U.S. population as a whole was growing by leaps and bounds.¹² This phenomenon would disproportionately hit the African American populace, which was largely tied to the land, resulting in a steady **fall in the black percentage of the County's total population**. The lure of better opportunities elsewhere presumably accelerated the out-migration.

What then can we say about the **1883 Mass Meeting**? It shows that even in the face of growing adversity, leaders of the African American community retained their thirst for freedom and were willing to stand up to the political establishment to assert their rights to equality as citizens. Through their mutual aid societies, businesses, churches and schools, Loudoun's African Americans kept alive the promise and hope of Reconstruction and demonstrated that rights and freedoms once granted may be curtailed, but never extinguished.

Footnotes

¹The petition was dated May 17, 1883. For the full text, see *The Essence of a People: Portraits of African Americans Who Made a Difference in Loudoun County, Virginia*, Black History Committee of the Friends of Thomas Balch Library (hereafter BHC-FTBL), Leesburg, Virginia (2001), pp. 28-31.

²Waters had served in the 5th Massachusetts Cavalry (Colored) during the Civil War. Another petitioner was James R. Hicks, who later served as the first President of the Loudoun County Emancipation Association (1890). This and other biographical information from *Essence of a People*, pp. 29-31. See also, Elaine E. Thompson, "James Hicks, 1845-1933," *The Essence of a People II*, pp. 41-45.

³Although *The Washingtonian* newspaper of Leesburg in 1869 reported that 1,200 of Loudoun's 4,536 voters were black, the Conservative (later Democratic) Party -- led by white supremacists, some of them former enslavers -- captured the County government in elections that year and continued to dominate local politics for decades thereafter. Unlike other counties in Virginia, Loudoun did not send African American representatives to the Virginia constitutional convention or the legislature during Reconstruction (1865-1877). Wynne Safer, *Loudoun Votes: A Civil War Legacy*, p. 18-20.

⁴In fact, five months after the Mass Meeting petition, the U.S. Supreme Court would strike down the public accommodations clause of the 1875 Civil Rights Act, which had promised equal treatment for African Americans in restaurants, hotels, streetcars and the like. This was one of a series of Court decisions that set the legal foundation for the highly discriminatory Jim Crow laws of the late 19e.

⁵BHC-FTBL, *Journey Through Time: Loudoun County's African American Communities* (2006), p. 19.

In 1873, a black Leesburg barber, D. Cook Nickens, was elected district constable and served for a year.

⁶On Freedmen's Bureau, see Betty Morefield, "The Freedmen's Bureau in Loudoun County: Getting Started," *Loudoun County Historical Society Bulletin* for 2007, pages 36-72. See also the Smithsonian's website for information on Freedmen's Bureaus in each state they operated: <https://sova.si.edu/details/NMAAHC.FB.M1048#ref133>

On aid to Freedmen, see Charles P. Poland, *From Frontier to Suburbia: Loudoun County Virginia, One of America's Fastest Growing Counties* (Heritage Books, 2005), pp. 244-245. See also *Journey Through Time*, pp. 9-12. In December 1865, the military command in Richmond ordered that "[t]he late owners will be required to provide for their former slaves, who are helpless and dependent on them for subsistence, until the overseers of the poor of the counties to which they belong shall have made arrangements for their care and support." *Loudoun Times Mirror*, January 3, 1866. Meanwhile, traditional plantation agriculture went into steep decline in Loudoun in part because Freedmen (including women) refused to return to work under the old conditions, instead favoring tenant farming, while some left the County for better working conditions in nearby towns and cities. See Poland, pp. 222-228, and *Loudoun Times Mirror*, June 17, June 20, and September 21, 1865.

⁷Poland, pp. 238-239, 256, 260-61. Poland contends that Reconstruction in Loudoun was less traumatic in Loudoun than elsewhere in the South because of the relative moderation of both the U.S. military commander

and the Republican-controlled government in Richmond, and the presence of many Unionists (notably Quakers) in the County who won favor with the federal occupation authorities.

- ⁸In 1872, Grant defeated the lackluster Democratic candidate, Horace Greely, by just 33 votes (1,549 to 1516) in Loudoun; see Poland, p. 273. One reason for Grant's victory was that many former rebels remembered his lenient surrender terms at Appomattox Courthouse and voted for him as the lesser of two evils. In fact, the former rebel leader John Mosby helped run Grant's campaign in Virginia. Still, given the narrow margin by which Grant won in Loudoun County, the black vote was clearly decisive. Southern whites in Loudoun, however, would turn sharply against the Republican Party in 1876. *Email from Richard T. Gillespie, Emeritus Historian of the Mosby Heritage Area, to author, May 10, 2018.*
- ⁹Elaine E. Thompson, *In the Watchfires: The Loudoun County Emancipation Association, 1890-1971*, BHC-FTBL. On Hicks, see footnote #2, above.
- ¹⁰Even if individual local communities did not necessarily favor it, for example, Virginia law would *require* separate schools for white and black school children, a state of affairs that did not change until the U.S. Supreme Court ruled otherwise in its 1954 *Brown v. Board of Education* decision. On Leesburg lynchings, see Heidi Siebentritt, "Brief History of the Courthouse and the Confederate Monument" (article under Overview, above).
- ¹¹The statistics for 1891 and 1910 were 0.97% and 1.62%, respectively, according to Wynne Saffer. In 1920, a U.S. Department of Commerce study showed that "colored farmers" *operated* (not necessarily owned) 6.2% (121 of 1,962) of Loudoun's farms, and many were small. A fourth of County farms were run by (black and white) *tenants*, not owners. According to Noel Grove and Charles P. Poland, Jr., 4.6% of Loudoun's 1,962 farms in 1920 -- about 90 -- were black-owned. See *The Lure of Loudoun: Centuries of Change in Virginia's Emerald County* (2007), p. 166.
- ¹²After peaking in 1880 at 23,634, Loudoun's population steadily decreased over the next 50 years to just 19,852 in 1930. Interestingly, from 1790 to 1950, Loudoun's total population remained nearly stable, around 20,000. Even in 1960, the population of 24,549 barely exceeded that of 1880. Given the tremendous population increase elsewhere in the country, due to both high birthrates and immigration, this suggests that the County experienced heavy net emigration throughout much of its history. See Poland, pp. 65, 363-364.

* * * * *